

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

IN THE MATTER OF THE
COMPLAINT OF BLUE DOLPHIN
CHARTERS, LTD. AND TERRY
DONNELLY, AS OWNERS OF THE
VESSEL M/V BLUE DOLPHIN, O/N
1082213, FOR EXONERATION
FROM AND/OR LIMITATION OF
LIABILITY,

MATTHEW ISHAM, individually and
as Guardian Ad Litem for HAYDEN
ISHAM, a minor; ROXANNE BEST
ISHAM,

Plaintiffs,

vs.

BLUE DOLPHIN CHARTERS, LTD.
And BLUE DOLPHIN DIVING, LTD.,
CAPTAIN ANDY'S SAILING, INC.,
DOES 1 – 50,

Defendants.

DENNIS CLAYPOOL, SHERYL
CLAYPOOL, individually and as
Guardian ad Litem for KRISTEN
CLAYPOOL, a minor, SCOTT
CLAYPOOL, AND KRISTEN
CLAYPOOL,

Plaintiffs,

vs.

CIVIL NO.: CV05-00037 HG BMK
(Consolidated)

DECLARATION OF
RANDOLF L.M. BALDEMOR;
EXHIBITS "A"-"F"

CIVIL NO.: CV04-00559 HG-BMK

CIVIL NO.: CV04-00570 HG-KSC

CAPTAIN ANDY'S SAILING INC.,
BLUE DOLPHIN CHARTERS, LTD.
AND BLUE DOLPHIN DIVING,
LTD.,

Defendants.

DECLARATION OF RANDOLF L.M. BALDEMOR

I, RANDOLF L.M. BALDEMOR, declare:

1. I am one of the attorneys representing Limitation Plaintiff / Defendant Blue Dolphin Charters, Ltd. and Limitation Plaintiff Terry Donnelly in the above-captioned matter, and have personal knowledge of the information contained herein.
2. I am an attorney with the law firm of Goodsill Anderson Quinn & Stifel, LLP, and am licensed to practice law before the courts of the State of Hawaii.
3. Attached hereto as Exhibit "A" are true and correct copies of excerpts from the Deposition of Terry Donnelly, taken on May 17, 2005, including the Certificate of Reporter, dated May 17, 2005, in the related actions consolidated herein.
4. Attached hereto as Exhibit "B" are true and correct copies of excerpts from the Deposition of Matthew Isham, taken on May 3, 2005, including

the Certificate of Reporter, dated May, 3, 2005, in the related actions consolidated herein.

5. Attached hereto as Exhibit "C" are true and correct copies of excerpts from the Deposition of David Woolley, taken on March 29, 2005, including the Certificate of Reporter, dated March 29, 2005, in the related actions consolidated herein.

6. Attached hereto as Exhibit "D" are true and correct copies of excerpts from the Deposition of Sheryl Claypool, taken on May 16, 2005, including the Certificate of Reporter, dated May 20, 2005, in the related actions consolidated herein.

7. Attached hereto as Exhibit "E" is a true and correct copy of a letter dated June 15, 2005, from Jonathan H. Steiner, Esq. to John R. Hillsman, Esq. and Robert F. Miller, Esq.

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8. Attached hereto as Exhibit "F" are true and correct copies of excerpts from the Deposition of Dennis Claypool, taken on April 22, 2005 and April 23, 2005, including the Certificate of Court Reporter, dated May 4, 2005 and May 3, 2005.

I declare the foregoing under penalty of perjury under the laws of the United States.

DATED: Honolulu, Hawaii, January 5, 2006.

/s/ Randolph L.M. Baldemor
RANDOLF L. M. BALDEMOR